

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the following remarks.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-12 are pending in this application.

II. REJECTIONS UNDER 35 U.S.C. § 102(b)

In the Office Action, claims 1-12 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 4,937,609 to Wakabayashi et al. (hereinafter merely "Wakabayashi"). The rejections are traversed for at least the following reasons.

Independent claim 1 recites, *inter alia*:

"An optical unit of a collapsible type ...

wherein said lens is retractable in a resultant position on the optical axis after said optical filter is moved." (Emphasis added)

As understood by the Applicant, Wakabayashi relates to a camera comprising a photographing optical system, an optical filter capable of insertion into and retraction from an optical path of the photographing optical system, a detector for detecting the insertion of the optical fiber into the optical path, a device for adjusting the position of the photographing optical system to focus on an object to be photographed, and a device for correcting adjustment of the photographing optical system according to a change in optical path length caused by insertion of the optical filter. *Wakabayashi*, Abstract.

Applicant submits that Wakabayashi, however, does not teach or disclose the above identified feature of claim 1. Specifically, Wakabayashi does not teach or suggest that the lens is retractable in a resultant position on the optical axis after the optical filter is moved, as recited in claim 1.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentable. For reasons similar to the ones discussed above, and since independent claim 1 and 11 are similar in scope, claim 11 is also patentable.

Claim 5 recites, *inter alia*:

“a forcible escape mechanism for making said optical filter escape off the optical axis forcibly, when said escape mechanism cannot make said optical filter escape off the optical axis.” (emphasis added)

Applicant submits that Wakabayashi, however, does not teach or disclose the above identified feature of claim 5. Specifically, Wakabayashi does not teach or suggest a forcible escape mechanism for making the optical filter escape off the optical axis forcibly, when the escape mechanism cannot make the optical filter escape off the optical axis, as recited in claim 5.

Claim 12 is similar in scope and is therefore patentable for similar reasons.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 5 and 12 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from an independent claim, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also

deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.


CONCLUSION

In view of the foregoing remarks, an early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

Respectfully submitted,

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